

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	CASE NO. 05-10019-RGS
)	
DANIEL W. McELROY,)	
AIMEE J. KING McELROY, and)	
XIEU VAN SON)	
)	

**MOTION OF DEFENDANTS DANIEL W. McELROY AND AIMEE J. KING McELROY
TO COMPEL DISCLOSURE OF DOCUMENTS AND INFORMATION
REGARDING THE ACCESS OF INSURANCE FRAUD BUREAU PERSONNEL
TO GRAND JURY MATERIAL**

Defendants Daniel W. McElroy (“Mr. McElroy”) and Aimee J. King McElroy (“Ms. King”) move this Court to direct the government to provide Mr. McElroy and Ms. King with all applications, affidavits and briefs filed by the United States Attorney’s Office with the United States District Court for the District of Massachusetts concerning this case and all Court Orders relating thereto regarding the access of Insurance Fraud Bureau (“IFB”) personnel to grand jury material, as well as a description of the nature and circumstances of any involvement of IFB personnel with grand jury materials. This requested discovery is essential for the defense to determine whether there is evidence that the government violated the grand jury secrecy requirements set forth by Rule 6(e) of the Federal Rules of Criminal Procedure by providing IFB personnel access to grand jury materials without court authorization, and consequently, whether dispositive motions should be filed. Pursuant to Local Rule 7.1, a good faith attempt was made to eliminate or narrow the issues raised in this Motion through a conference with counsel for the

government. In further support of this Motion, Mr. McElroy and Ms. King incorporate their Memorandum of Law filed simultaneously herewith.

Respectfully Submitted,

DANIEL W. McELROY

By his Attorneys,



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